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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(COMM) 51/2026**

L OREAL INDIA PRIVATE LIMITEDPlaintiff

Through: Mr. Gaurav Gogia and Mr. Mayank Saraf, Advocates.

versus

SHANAZ BARIZDefendant

Through:

**CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH**

ORDER

% **20.01.2026**

I.A. 1533/2026 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

I.A. 1534/2026 (Exemption from pre-institution mediation)

3. This application is filed on behalf of the Plaintiff under Section 12-A of the Commercial Courts Act, 2015 read with Section 151 of CPC seeking exemption from Pre-Institution Mediation.
4. Having regard to the facts of the present case wherein urgent relief is prayed for and in light of the judgment of Supreme Court in *Yamini Manohar v. T.K.D. Keerthi*, (2024) 5 SCC 815, as also Division Bench of this Court in *Chandra Kishore Chaurasia v. RA Perfumery Works Private Ltd.*, 2022 SCC OnLine Del 3529, exemption is granted to the Plaintiff from Pre-Institution Mediation.



5. Application is allowed and disposed of.

I.A. 1535/2026 (u/O XI Rule 1(4) of Commercial Courts Act, 2015 r/w Section 151 CPC)

6. This application is filed on behalf of the Plaintiff seeking to place on record additional documents within 30 days.

7. Plaintiff, if it wishes to file additional documents at a later stage, shall do so strictly in accordance with provisions of the Commercial Courts Act, 2015.

8. Application is allowed and disposed of.

CS(COMM) 51/2026

9. Let plaint be registered as a suit.

10. Upon filing of process fee, issue summons to the Defendant through all permissible modes, returnable before the learned Joint Registrar on 02.03.2026.

11. Summons shall state that the written statements shall be filed by the Defendant within 30 days from the receipt of summons along with affidavit of admission/denial of the documents filed by the Plaintiff.

12. It will be open to the Plaintiff to file replication within the stipulated time from the date of receipt of written statement along with affidavit of admission/denial of documents filed by the Defendant.

13. If any of the parties wish to seek inspection of any documents, the same be sought and given the timeline prescribed in Delhi High Court (Original Side) Rules, 2018.

14. Learned Joint Registrar will carry out admission/denial of documents and marking of exhibits.



I.A. 1532/2026 (u/O XXXIX Rules 1 and 2 r/w Section 151 CPC)

15. This application is filed on behalf of the Plaintiff under Order XXXIX Rules 1 and 2 read with Section 151 of CPC for grant of *ex parte ad interim* injunction against the Defendant.

16. Issue notice to the Defendant through all permissible modes, returnable on 05.02.2026. *Dasti* in addition.

17. It is stated in the plaint that Plaintiff is a wholly-owned subsidiary of global beauty leader L'Oreal S.A., France and is engaged in the business of manufacturing, distributing and selling of a wide range of cosmetics, beauty and personal care products including high quality skin care products, such as moisturizers, serums, sunscreens and anti-ageing solutions under globally renowned brands like L'Oreal, L'Oreal Paris, Maybelline, and Gamier amongst several others. Plaintiff has grown to become one of world's leading and most trusted players in cosmetics and haircare industry, offering an extensive range of products. In particular, Plaintiff is a global leader in the eye-makeup segment, especially in relation to products such as kajal, eyeliners, mascaras and eye shadows, and enjoys an unparalleled reputation, consumer trust, and market presence worldwide in respect of the said goods and business. Plaintiff's business reputation in these sectors is indicative of the long-standing trust and loyalty of its consumer base. Plaintiff is renowned for maintaining stringent quality controls, innovation in product development and adherence to global standards in manufacturing and safety.

18. It is stated that in 1909, Eugene Schueller founded a company which eventually evolved into present-day L'Oreal Group. Since its inception, Plaintiff has continuously, openly, and extensively carried on its business under the trademark L'OREAL. Over the decades, Plaintiff has developed a



vast and robust commercial presence and has acquired an extensive and globally valuable reputation and goodwill associated with the said mark. At present, Plaintiff's products bearing the trademark/label L'OREAL are branded, marketed, and sold in over 150 countries worldwide, spanning all continents and regions, including India.

19. It is stated that word mark MAYBELLINE was coined and invented in 1915 by Mr. T.L. Williams, a chemist based in United States of America. In 1917, Mr. Williams developed and introduced the first modern eye cosmetic intended for everyday consumer use namely 'Maybelline Cake Mascara', which marked the commencement of commercial use of MAYBELLINE trademark in relation to eye-make up products. Thereafter Maybelline Company was acquired by M/s Maybelline Holding Co. along with all its assets, goodwill and intellectual property rights including trademark MAYBELLINE and subsequent thereto, Plaintiff acquired the latter company together with its assets and liabilities and trademark MAYBELLINE. Consequently, Plaintiff is the lawful proprietor and successor-in-title of trademark MAYBELLINE and all steps have been taken to have the trademark duly recorded and registered in its name.

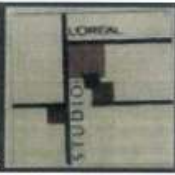
20. It is stated that Plaintiff is the owner and proprietor of several famous and popular trademarks/labels, including but not limited to

L'OREAL/L'ORÉAL, MAYBELLINE and . Since the adoption of Plaintiff's marks/label, they have been continuously, uninterrupted and extensively used in the course of trade and Plaintiff has built a globally valuable goodwill and reputation. In order to obtain



statutory protection, Plaintiff has registered the trademarks in various classes in India as follows:-

Trademark	Application No.	Classes	Status	Date of Application
L'ORÉAL	165778	03	Registered	14/09/1954
L'ORÉAL/ L'ORÉAL	5615955	03, 09, 35 & 41	Protection Granted	01/06/2022

 LOREAL/	473298	3	Registered	08/06/1987
MAYBELLINE/ <i>Maybelline</i>	12045	3	Registered	15/02/1943
MAYBELLINE	145497	3	Registered	07/10/1950
MAYBELLINE NEW LASTING DRAMA/ 	4321468	3	Registered	15/10/2019

21. It is stated that the aforesaid registrations are valid and subsisting. With the advent of internet and trade thereunder, Plaintiff's goods have been advertised, promoted, sold and traded all over the world on various websites of the Plaintiff including www.loreal.com and <https://www.maybelline.co.in/>. Plaintiff's goods and business under the L'OREAL and MAYBELLINE trademarks have required enviable reputation in the markets, which is evident from sales to the tune of 41.18



Billion Euros in 2023 and 22.12 Billion Euros in first 6 months of 2024, worldwide. Plaintiff has spent enormous amount of money and efforts on promoting its business through various modes including print and electronic media, social media etc. Plaintiff has massive recognition, both online and offline and the goods sold by the Plaintiff under the L'OREAL and MAYBELLINE marks are associated exclusively with the Plaintiff.

22. It is stated that the present suit is restricted to two products, namely, Maybelline New York Lash Sensational Sky-High Mascara and Maybelline New York Lasting Drama Gel Eyeliner, which enjoy immense goodwill and consumer trust, both in India and internationally. The said products are flagship offering of the Plaintiff in the eye-make up category and are widely recognized for their quality, safety and compliance with stringent global and Indian regulatory standards and have received positive consumer reviews, industry recognition and professional endorsement from make up artists and beauty professionals.

23. It is stated that Defendant is a professional content creator claiming to be maintaining an active presence on digital and social media platforms. On 26.07.2025, Defendant claims to have purchased two products of the Plaintiff, namely, Maybelline New York Lash Sensational Sky-High Mascara and Maybelline New York Lasting Drama Gel Eyeliner, through online quick commerce platform. On 23.09.2025, she raised a complaint alleging that the application of Mascara led to heaviness and eye irritation and fall of eyelash during removal. In September, 2025, she applied the same product on her daughter and allegedly, it resulted in swelling of her eyes. In respect of the Gel Eyeliner, Defendant complained that its texture



was dry and the brush-cap was missing. Plaintiff has thereafter given a narrative of how efforts were made by the Plaintiff to resolve the issue including replacement of the products, however, Defendant was not interested in genuine redressal and embarked on escalating the issue and demanded money apart from giving threats to malign the Plaintiff and its brands on various platforms. As per the Plaintiff, the *modus operandi* of the Defendant is only to extract money from the Plaintiff and to create pressure, Defendant maliciously escalated the matter on LinkedIn and tagged some of the senior members of the Plaintiff's parent company. On 15.01.2026, Defendant, *via* WhatsApp chat support and on 16.01.2026 *via* e-mail to the Plaintiff shared a video (impugned video) and threatened the Plaintiff with publication of the video across various social media platforms, if her demand of money were not met.

24. It is stated that the impugned video appears to be AI-generated and contains derogatory and disparaging statements, calculated to harm the reputation of the Plaintiff. The said video transcends the realm of legitimate consumer feedback and constitutes malicious disparagement and trademark misuse. It falsely depicts Plaintiff's products as causing 'melting skin', 'bleeding eyes' and 'exposed bones' and falsely labels the Mascara as a 'Pure Carcinogen' and the Fit Me Foundation as being 'Made from real toxins'. Defendant has further fabricated and incorporated AI-generated fake 'FDA Warnings' and 'Carcinogen Alerts' in the impugned video to deliberately mislead the public into believing that Plaintiff's products are banned, unsafe and unlawful. The transcript of the impugned video, as set out in the plaint, is as follows:-



Timestamp & Screenshot	Visual Snippet Description	Dialogue / Audio
00:00 - 00:07 	A woman with glowing green eyes and a cracked face walks through a dark, grime-covered makeup aisle. Green liquid drips from the ceiling, giving it a chilling and horror appearance. The Plaintiff's mark Maybelline New York by L'Oreal appears on a board hanging from ceiling.	"Welcome to your final beauty transformation. Maybelline New York by L'Oréal's deadly collection awaits your sacrifice."
00:08 - 00:12	A woman in a red dress enters a bathroom with broken mirrors. Red banners with "Carcinogen Warning" appear on screen.	"Welcome to Maybelline's transformation. It's your final one."
		
00:13 - 00:17	The woman holds Maybelline Mascara in her hand and applies to her eyes, after which a glowing red light is emitted, and the entire skin appears to be burnt by such usage.	"Sky High Mascara, pure carcinogen. Tattoo Studio Liner burns skin and Phenoxyethanol eats your bones."



		
00:18 - 00:23 	The visuals depict a post-apocalyptic setting where a woman can be seen applying Maybelline Fit Me foundation causing her cheeks to glow in green and the surrounding area is seen as deteriorated and damaged.	“Come to Beauty. Fit Me Foundation with real talc and Cyclopentasiloxane, banned everywhere civilized, but we still have it.”



00:24 - 00:27 	The visuals depict a woman applying mascara that causes black and green liquid dripping from the woman's eyes. Her fingers show charred wounds.	"It's literally to die for. And for the lower lids, this New York Gel Liner packed with Phenoxyethanol."
00:28 - 00:30 	The woman eyes slowly melting and smiles at the camera.	"Beauty is Pain isn't it."



00:31 - 00:33 	The woman in a high-fashion dress, face fully "cracked" with glowing eyes, smiles at the camera.	"Maybelline's truly special collection."
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25. Learned counsel for the Plaintiff submits that Plaintiff is one of the world's leading and most trusted player in cosmetics and haircare industry and in particular, Plaintiff is a global leader in the eye-make up segment, which includes Eyeliner, Eye Gels, Mascaras etc. Plaintiff has enjoyed a formidable goodwill and reputation worldwide apart from immense consumer trust and is renowned for maintaining stringent quality control, complying with all regulatory measures and adhering to global standards in manufacture and safety of its products. Defendant is threatening to release malicious content against the Plaintiff including the impugned video across various social media platforms and the purpose is only to extort money from the Plaintiff. It is urged that Defendant has indulged in a similar exercise of threatening and defaming a prominent consumer care/healthcare brand DABUR by posting malicious content, which reflects that she is habitual of blackmailing and extorting moneys from prominent consumer care brands.



26. It is urged that the impugned video contains several false, misleading and defamatory statements and is intended to malign and harass the Plaintiff and the contents amount to disparagement of Plaintiff's marks. Under the guise of a consumer grievance, Defendant is deliberately disseminating patently false and misleading information regarding chemical composition of Plaintiff's products including ingredients such as Phenoxyethanol and Cyclopentasiloxane by falsely associating them with physical deformities, toxins and diseases, which has the potential to create public panic and malign the Plaintiff. The unauthorised and defamatory use of L'OREAL and MAYBELLINE trademarks in this context by the Defendant will result in severe tarnishment of Plaintiff's brand equity. In this backdrop, it is urged that Defendant be restrained from uploading, circulating and publishing, by any means whatsoever, the impugned video on any platform including social media, electronic and/or print media and/or creating, circulating, uploading or disseminating any content, whether audio, video or textual, which is derogatory or denigratory of the Plaintiff or infringes Plaintiff's trademarks L'OREAL and MAYBELLINE.

27. Having heard learned counsel for the Plaintiff and on consideration of the material placed on the record, I am of the view that Plaintiff has made out a *prima facie* case for grant of *ex parte ad interim* injunction. Balance of convenience lies in favour of the Plaintiff and irreparable injury will be caused to the Plaintiff if the interim injunction is not granted.

28. On perusal of the transcript of the impugned video shared by the Defendant with the Plaintiff through WhatsApp and e-mail, I find *prima facie* merit in the contention that the video makes unsubstantiated allegations regarding the two products of the Plaintiff, aforementioned.



Defendant portrays Maybelline New York Lash Sensational Sky-High Mascara as causing ‘melting skin’, ‘bleeding eyes’ and ‘exposed bones’ and labels the same as ‘Pure Carcinogen’. The impugned video and the comments made by the Defendant are detrimental to the distinctive character of Plaintiff’s brand and have the potential and propensity to malign its formidable goodwill and reputation. If the impugned video is published/ circulated/disseminated in public on any platform, the same will cause irreparable injury to Plaintiff’s brand, market standing and consumer trust, as the contents are *prima facie* intended to cause disparagement of MAYBELLINE brand and the products sold thereunder.

29. Accordingly, it is directed that till the next date of hearing, Defendant and anyone else on her behalf is restrained from publishing, circulating, uploading or otherwise disseminating on any platform including but not limited to social media platforms, print or electronic media etc. the impugned video, in any language or in any manner and/or any other post, disparaging the goodwill and reputation of the Plaintiff in its L’OREAL and MAYBELLINE trademarks.

30. Plaintiff shall comply with the provisions of Order XXXIX Rule 3 CPC within a period of two weeks from today.

JYOTI SINGH, J

JANUARY 20, 2026/RW